

months, whom I hereby manumit and set free at my death, and I desire my executor and trustee to provide for their support out of my funds belonging to my estate until they shall be able to obtain their freedom under this my codicil and the laws of this state, and to have their part of the property devised under the eighth clause of my will. All that clause of my will providing for the sale of my real estate by my executor and trustee I do hereby revoke and annul, as I do not wish the same sold, or any part thereof."

There was also a third codicil executed on the 2d June, 1841, making an additional devise of a house to his boy Daniel, and also one to Henry, and some wearing apparel to his negro women.

Such proceedings were then had under this bill that a decree was passed the 7th of June, 1850, to sell this real estate by Ezekiel R. Hooper, a trustee, appointed for that purpose in the usual form of such decrees. The sales were made by this trustee for \$7280, and reported 20th February, 1851, and finally ratified by the court 5th November, 1851. The other proceedings in the cause are sufficiently stated in the following opinion of the Chancellor.]

THE CHANCELLOR:

The question which arises and has been argued in this case is presented by certain petitions which have been filed since the property was sold under the decree of the 7th of June, 1850. That decree was passed upon the bill filed by certain parties claiming under the will of William S. Harper, deceased, in which it was alleged that the interest of all parties concerned would be promoted by a sale. John D. Farquharson, one of the petitioners, was a party to the bill, he having been substituted in the place of William Rea, the trustee named in the will of the deceased, and by his answer he admitted the allegations of the bill, and consented to the passing of the decree.

After the trustee's report of the sale had been ratified, Jacob Wilson, by his petition filed on the 30th of July, 1851, stated that he was one of the purchasers, and claimed, by virtue of a